



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 31 2002

Ref. No. 02-0085

Mr. Michael R. Schick
Regional Manager of Quality,
Health, & Safety
Brenntag Great Lakes, LLC
P.O. Box 444
Butler, WI 53007-0444

Dear Mr. Schick:

This is in response to your March 20, 2002 letter regarding shipping paper requirements. Specifically, you ask if the additional information contained in the quantity ordered, quantity shipped, back order and packaging columns of your shipping paper is in compliance with the requirements contained in § 172.201(a)(4) of the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The answer is no. Section 172.201(a)(4) states that the shipping paper may contain additional information concerning the material provided the information is not inconsistent with the shipping description and it is placed after the basic description required by § 172.202(a). Certain notations such as "RQ" and a technical name or chemical group name for a generic description may appear before the proper shipping name (§ 172.203). Other information authorized before the basic description is the total quantity, and the type of packaging and destination marks (see § 172.201(a)(1)(iii), § 172.201(a)(4) and § 172.202(c)). For example, shipping papers that are designed in a column format may have the quantity shipped and type of packaging, e.g., "19 drums" entered before the basic description. Other information must be entered on the shipping paper after the basic description. In your shipping paper the quantity ordered and back order columns are presented prior to (to the left of) the column containing the basic description; and therefore, is not in compliance with the HMR.

I hope this satisfies your request.

Sincerely,



John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



020085

172.201

Brenntag Great Lakes, LLC

BRENNTAG
Stinnes LogisticsBAH
\$172.201
Shipping Papers
02-0085

March 20, 2002

U.S. Dept. of Transportation/RSPA (DHM-10)
Research and Special Programs Administration
Fax: 202-366-3012
Attn: Edward T. Mazzullo
Dir. Office of Hazardous Materials Standards

Dear Mr. Mazzullo,

Per a conversation February 27, 2002 with Randy Kudzia of the Minnesota DOT I am representing our company Brenntag Great Lakes in a written request for a more formal decision the attached case #16292.

I am requesting an interpretation of the immediate concern that Minnesota DOT has with our shipping papers. I interpret that when reading left to right and up to down on a shipping paper that our basic description precedes the quantity order. Our Vice President of Operations Kevin Bagin and I have read the 172.201(a)(4) text and all text relating to shipping papers. Please review the attachments that were submitted to the Minnesota DOT in our response 2-19-02.

Thank you and don't hesitate to call me if you have any questions at 262-252-6146.

Sincerely,

Michael R. Schick

Michael R. Schick
Regional Manager of Quality, Health, & Safety

Cc Randy Kudzia, Minnesota DOT Fax# 651-405-6060
Kevin Bagin
Bill McLain
DOT File

Minneapolis/St. Paul, MN
2130 Energy Park Drive
St. Paul, MN 55108
651-645-9224
651-645-9451 Fax

Chicago, IL
4801 South Austin Avenue
Chicago, IL 60638
773-586-2000
708-594-5678 Fax

Milwaukee, WI
8100 West Florist
Milwaukee, WI 53228
262-252-3550
262-252-3961 Fax

Grand Rapids, MI
2751 Courier Court NW
Grand Rapids, MI 49544
616-453-9555
616-453-9599 Fax

Des Moines, IA
1979 N.E. 54th Avenue
Des Moines, IA 50313
515-265-6019
515-265-6883 Fax

my of 01-02
Case # 16292

HM Package Inspection Program Report

Minnesota Department of Transportation

1110 Centre Pointe Curve
 Mendota Heights, Minnesota 55120
 (651) 405-6114

Inspection Date: 1/22/2002	Inspection Location: Dock
Shipment Date: 1/22/2002	
Violation found: 172.201(a)(4)	

SHIPPER INFORMATION:

Census: 427109	
BRENTTAG GREAT LAKES LLC	
2130 ENERGY PARK DR	
SAINT PAUL, MN	55108

Facility Location: ST PAUL, MN

CARRIER INFORMATION:

Census: 239039	
American Freightways, Inc.	
Roseville, MN	

PACKAGE INFORMATION:

DOT Shipping Desc:	FLAMMABLE LIQUID NOS 3 UN1993 PG II	
HM Class:	3 Flammable Liquid	Qty & Unit: 1532 LBS
Package Type:	1A2 STEEL DRUM	
Shipping #:	343912 (1/22/2002)	
Ship Paper Type:	Shipper	
Number of Counts:	1	
Citation:	172.201(a)(4)	
Additional non-authorized information must not precede the basic description: "quantity ordered"		

We are unclear of a violation because the Basic description (Line #1) and Technical Description (Line #2) on our B/L No. 343912 precedes our quantity ordered in (Line #4). The example from E. Kikoff & Co. Mfg from 7-13-93 you sent us is clearly different than our paperwork where they have quantity ordered preceding the basic description. In the next quarter we are expecting to change to a new format where the quantity ordered column is on the right side of the B/L.

Paul Schick 2-19-02
Regional Manager of Quality, Brenntag Great Lakes

Inspector Number: MN0671	Div Number: 0
Inspector Signature: <i>KWDZ/A</i>	Date Signed: <i>1-24-02</i>

Copy to be forwarded to the shipper.

Please sign and return by
2-19-02

**Minnesota Department of Transportation**

Office of Motor Carrier Services
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Tel: 651/405-6060
Fax: 651/405-6082

February 6, 2002

Brenntag Great Lakes LLC
2130 Energy Park Dr.
St. Paul, MN 55108

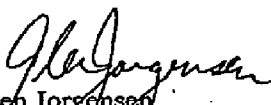
Dear Shipper:

During a recent review of hazardous materials shipments conducted at a motor carrier facility, a shipment originating from your company was found to be in violation of Federal hazardous Materials Regulation (49CFR 100-177), as adopted under Minnesota statute.

A copy of the inspection report form identifying these violations is attached. Please review and certify that all violations noted on this report have been corrected by you and that action has been taken to ensure future compliance with applicable regulations. Sign, date, and return this form to the address shown at the top of the inspection report form.

Please call the Minnesota Department of Transportation's Hazardous Materials Enforcement Unit at (651) 405-6117 if you have any questions concerning the violations listed. Thank you.

Sincerely,


Glen Jorgensen
Enforcement Supervisor